

AQ 91 (Rev. 11/11) Criminal Complaint

Clerk, U.S. District Court  
Southern District of Texas  
FD-50

## UNITED STATES DISTRICT COURT

MAY 13 2014

for the  
Southern District of Texas

David J. Bradley, Clerk of Court

United States of America

v.

John Karl Hildinger

Case No.

C-14-514M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 17, 2014 in the county of Nueces in the  
Southern District of Texas, the defendant(s) violated:

Code Section

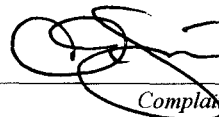
Offense Description

18 U.S.C. 924(a)(1)(A)

Whoever knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter or in applying for any license or exemption or relief from disability under the provisions of this chapter.

This criminal complaint is based on these facts:

(See Attachment A)

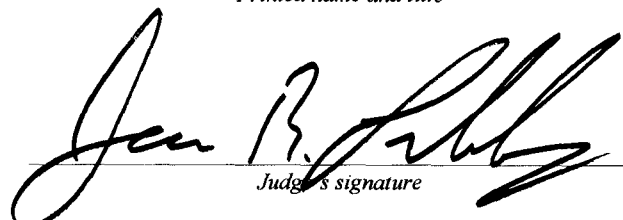
☒ Continued on the attached sheet.

Complainant's signature

Clifton Sutton, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/13/2014

Judge's signature

City and state: Corpus Christi, Texas

Jason B. Libby, United States Magistrate Judge

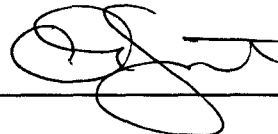
Printed name and title

ATTACHMENT A

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF), United States Department of Justice, and have been employed since September 2013. I am a graduate of the Federal Law Enforcement Training Center. I have been trained to conduct criminal investigations, participate in search warrants and the execution of arrest warrants. Prior to my experience with the ATF I was a Houston Police Officer for over four years. I hold a Bachelors of Science degree from Sam Houston State University in Criminal Justice. I am familiar with certain Federal criminal laws and know that it is a violation of Title 18, United States Code, 924 (a)(1)(A) that whoever knowingly makes any false statement or representation with respect to the information required by this chapter to be kept in the records of a person licensed under this chapter or in applying for any license or exemption or relief from disability under the provisions of this chapter.
2. On May 12, 2014 US Secret Service Agent, Dan Morales, advised that a confidential source provided information stating that John Karl Hildinger, had purchased a Remington 870 Shotgun from Academy #29 located at 5001 South Padre Island Drive Corpus Christi, Texas on April 19, 2014.
3. Agent Morales stated that he went to Academy #29 and was able to verify that John Hildinger Purchased a Remington 870 Shotgun.
4. Agent Morales advised your affiant; John Hildinger is currently being investigated by the US Secret Service.
5. Your affiant obtained a copy of the ATF Form 4473 from US Secret Service Agent Dan Morales, which reflects John Hildinger executed ATF Form 4473 from Academy #29 located at 5001 South Padre Island Drive Corpus Christi, Texas on April 19, 2014. Hildinger answered "no" to question 11c, which states, "Have you ever been convicted in any court of a felony or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation?"
6. Your affiant received copies of Prince George's Court documents from Agent Morales. Prince George's County, Maryland documents reflect Hildinger received a conviction in the Circuit Court for Prince George's County, Maryland reference Case ID # CT131559A for 1-Handgun; Wear/ Carry & Transport in a vehicle/ Public Roads, etc. on December 20, 2013. According to the court documents, Hildinger received three (3) years unsupervised probation for this conviction.
7. Your affiant knows it is a violation for a person to knowingly make any false statement or representation on the ATF form 4473.

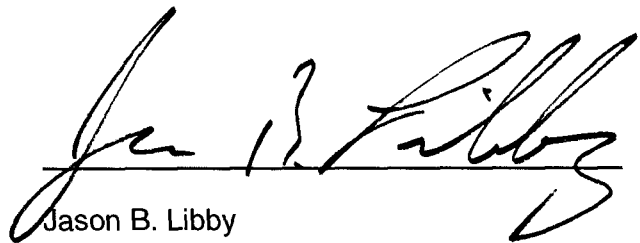
8. John Hildinger further identified himself on the ATF Form 4473 by providing his Texas issued driver's license and completing the form providing his name, date of birth, social security number and signature.
9. ATF Special Agent Brian Garner went to Academy #29 located at 5001 South Padre Island Drive Corpus Christi, Texas and verified by reviewing surveillance video footage that Hildinger purchased the Remington 870 Shotgun on April 19, 2014.
10. Based on the above information, your affiant believes John Hildinger knowingly made false statements on an ATF Form 4473 in violation of Title 18, United States Code, Section 924(a)(1)(A), on April 19, 2014, in Nueces County, Texas.
11. This criminal complaint was approved for filing by AUSA Ken Cusick.

Further the Affiant sayeth not.

A handwritten signature in black ink, appearing to be 'Clifton Sutton', written over a horizontal line.

Clifton Sutton, ATF Special Agent

Subscribed and sworn to before me this 13th day of May 2014.

A large, stylized handwritten signature in black ink, appearing to be 'Jason B. Libby', written over a horizontal line.

Jason B. Libby

UNITED STATES MAGISTRATE JUDGE